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EXAMINER

PATHAK, SUDHANSHU C

ART UNIT

PAPER NUMBER

2611

MAIL DATE

DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

1. Claims 1-2, 6-9, 13, 17 & 25 are pending in the application.
2. Claims 3-5, 10-12, 14-16 & 18-24 have been canceled.

Response to Arguments

3. Applicant's arguments with respect to claims 1-2, 6-9, 13, 17 & 25 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

5. Claim 1-2, 6-9, 13, 17 & 25 are rejected under 35 U.S.C. 102(a) as being anticipated by Ahmavaara et al., ("Broadcast and Multicast Services in Mobile Networks", XVIII World Telecommunications Congress 2002, Paris, France, September 22-27, 2002).

In regards to Claims 1, 7, 13, 17 & 25, Ahmavaara discloses a method (apparatus) comprising: decoding in a receiver transmission parameter information signaling data from a signal and determining from the decoded transmission parameter signaling data if the signal carries time-sliced elementary streams (Sec. 3.4, "Time slicing" & Sec. 4.2, "Service announcements") {Interpretation: The reference discloses time slicing data from the transmitter to a receiver wherein the receiver is capable of receiving both time sliced streams and also streams not time

sliced. The reference further discloses providing a signaling mechanism “intelligent wake up method” to distinguish between time sliced and non time sliced streams}; and determining from the decoded transmission parameter signaling data whether the signal has a forward error correction framing structure (Sec. 4.4, “Quality of Service”). Ahmavaara further discloses implementing the parameters in an COFDM system at a predetermined location (Fig. 4 & Table 1).

In regards to Claims 2 & 8, Ahmavaara discloses a method (apparatus) as described above. Ahmavaara further discloses disregarding the signal in the event of a negative determination (Sec. 3.4, “Time slicing”) {Interpretation: The reference discloses a receiver that is “ON” during a time sliced mode and is “OFF” the rest of the time thus discarding the signal in an event of a negative determination}.

In regards to Claims 6 & 9, Ahmavaara discloses a method (apparatus) as described above. Ahmavaara further discloses the transmission parameter signaling data is transmitted on a lower level than service information (Sec. 4.1 & Fig’s. 2-3) {Interpretation: the reference discloses a cellular network which determines the “ON” / “OFF” which is a layer 1 while the quality of service is at layer 2}.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

Art Unit: 2611

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to SUDHANSHU C. PATHAK whose telephone number is (571)272-5509. The examiner can normally be reached on 9am-5pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chieh M. Fan can be reached on 571-272-3042.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2611

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Sudhanshu C Pathak/
Primary Examiner, Art Unit 2611